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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 12th March, 1962 :—

Issue No.	No. and Date	Issued by	Subject
105	S.O. 723, dated 11th March, 1962.	Ministry of Scientific Research and Cultural Affairs.	This Order may be called International Copyright (Third Amendment) Order, 1962.
106.	S.O. 724, dated 12th March, 1962.	Ditto	This Order may be called International Copyright (Fourth Amendment) Order, 1962.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 15th March 1962

S.O. 802.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution and in supersession of the notifications of the Government of India, in the Ministry of Home Affairs No. 4/2/59-(I)-F.I, dated the 2nd July, 1959, No. 4/2/59-(II)-F.I, dated the 2nd July, 1959, and No. 4/1/59-(I)-F.I, dated the 7th July, 1959, the President with the consent of the State Government concerned, hereby entrusts to the Government of each of the States of Andhra Pradesh, Assam, Bihar, Gujarat, Jammu and Kashmir, Kerala, Madhya Pradesh, Madras,

Mysore, Maharashtra, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal, the functions of the Central Government in making orders of the nature specified in clauses (a) and (b) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that in the exercise of such functions the said State Government shall comply with such general or special directions as the Central Government may from time to time issue; and
- (b) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(I)-F.III.]

S.O. 803.—In pursuance of clause (1) of article 239 of the Constitution and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. 4/1/59-(II)-F.I, dated the 7th July, 1959, the President hereby directs that the Administrator for the time being of a Union territory (whether called a Lieutenant Governor or a Chief Commissioner or an Administrator) shall, in relation to the Union territory concerned, discharge the functions of the Central Government in making orders of the nature specified in clauses (a) and (b) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that in the exercise of such functions the said Administrator shall comply with such general or special directions as the Central Government may from time to time issue; and
- (b) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No.1/32/61-(II)-F.III.]

S.O. 804.—In exercise of the powers conferred by clause (1) of article 253 of the Constitution, the President, with the consent of the Government of Assam, hereby entrusts also to the Superintendents of Police and the Deputy Commissioners (in charge of Police) under the Government of Assam within their respective jurisdictions the functions of the Central Government in making orders of the nature specified in clauses (a) and (b) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Superintendents of Police and Deputy Commissioners (in charge of Police) shall comply with such general or special directions as the Government of Assam or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(III)-F.III.]

S.O. 805.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Bihar, hereby entrusts also to all Superintendents of Police including the Superintendent of Police, Jamshedpur, under the Government of Bihar, within their respective jurisdictions, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Superintendents of Police shall comply with such general or special directions as the Government of Bihar or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(IV)-F.III.]

S.O. 806.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Madhya Pradesh, hereby entrusts also to all Senior Superintendents of Police and Superintendents of Police under the Government of Madhya Pradesh, within their respective jurisdiction, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Senior Superintendents of Police and Superintendents of Police shall comply with such general or special directions as the Government of Madhya Pradesh or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(V)-F.III.]

S.O. 807.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Madras, hereby entrusts also to all the Civil Authorities appointed under paragraph 2(2) of the Foreigners Order, 1948, under the Government of Madras, within their respective jurisdictions, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c), (cc) and sub-clause (iii) of clause (e) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Civil Authorities shall comply with such general or special directions as the Government of Madras or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(VI)-F.III.]

S.O. 808.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Mysore, hereby entrusts also to all the Deputy Commissioners of Districts, under the Government of Mysore, within their respective jurisdictions, the functions of the Central Government in making orders of the nature specified in clause (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Deputy Commissioners shall comply with such general or special directions as the Government of Mysore or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. F. 1/32/61-(VII)-F.III.]

S.O. 809.—In exercise of the powers conferred by clause (1) of the article 258 of the Constitution, the President, with the consent of the Government of Orissa, hereby entrusts also to the Deputy Inspector General of Police, Intelligence (Special Branch), under the Government of Orissa, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;

- (b) that in the exercise of such functions the said Deputy Inspector General of Police shall comply with such general or special directions as the Government of Orissa or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(VIII)-F.III.]

S.O. 810.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Rajasthan, hereby entrusts also to the Inspector General of Police, Rajasthan, the District Superintendents of Police, Police Zone Officers and Deputy Police Zone Officers, Jaipur and Ajmer under the Government of Rajasthan, within their respective jurisdictions, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Inspector General of Police, District Superintendents of Police, Police Zone Officers and Deputy Police Zone Officers shall comply with such general or special directions as the Government of Rajasthan or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(IX)-F.III.]

S.O. 811.—In exercise of the powers conferred by clause (1) of the article 258 of the Constitution, the President, with the consent of the Government of West Bengal, hereby entrusts also to the Deputy Commissioner of Police, Special Branch, Calcutta, within the town of Calcutta as defined in the Calcutta Police Act, 1866, and the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866, and the Superintendents of Police under the Government of West Bengal, within their respective jurisdictions, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Deputy Commissioner of Police and the Superintendents of Police shall comply with such general or special directions as the Government of West Bengal or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/32/61-(X)-F.III.]

FATEH SINGH, Jt. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 14th March, 1962

S.O. 812—Statement of the Affairs of the Reserve Bank of India, as on the 9th March, 1962

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	15,85,26,000
Reserve Fund	80,00,00,000	Rupee Coin	81,000
National Agricultural Credit (Long-term Operations) Fund	50,00,00,000	Subsidiary Coin	2,63,000
National Agricultural Credit (Stabilisation) Fund	6,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal
		(b) External
		(c) Government Treasury Bills	50,66,87,000
Deposits :—			
(a) Government:			
(1) Central Government	53,20,79,000	Balances held abroad*	7,65,20,000
(2) Other Governments	3,43,34,000	**Loans and Advances to Governments	75,62,97,000
(b) Banks	82,73,25,000	Other Loans and Advances†	174,39,65,000
(c) Others	151,56,91,000	Investments	153,34,67,000
Bills Payable	22,93,63,000	Other Assets	32,67,81,000
Other Liabilities	55,37,95,000		
RUPES	510,25,87,000	RUPES	510,25,87,000

*Includes Cash & Short-term Securities

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 32,11,00,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 14th day of March, 1962.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 9th day of March, 1962

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	15,85,26,000		A. Gold Coin and Bullion :-		
Notes in circulation	2078,51,90,000		(a) Held in India	117,76,03,000	
Total Notes issued		2094,37,16,000	(b) Held outside India		
			Foreign Securities	123,86,07,000	
			TOTAL OF A		241,62,10,000
			B. Rupee Coin		115,55,79,000
			Government of India Rupee Securities		1737,19,27,000
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES		2094,37,16,000	TOTAL ASSETS		2094,37,16,000

Dated the 14th day of March, 1962.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/62]

A. BAKSHI, Jt. Secy.

COLLECTORATE OF CENTRAL EXCISE, WEST BENGAL, CALCUTTA**CENTRAL EXCISE***Calcutta, the 6th February 1962*

S.O. 813.—In exercise of the powers conferred on me by Rule 233 of the Central Excise Rules, 1944, I hereby direct that all manufacturers of caustic soda under the jurisdiction of this Collectorate, licensed under the Central Excise Rules, 1944 shall furnish to the "Proper officer" defined under rule 2(xi) *ibid*, a monthly manufacturing report for caustic soda manufactured from Sodium Chloride by electrolytic process in the following proforma:—

Range
M.O.R.
Circle
Division
Collectorate

MONTHLY MANUFACTURING REPORT FOR CAUSTIC SODA

Month.....

Name of the factory.....

Sl. No.	Description	Weight in Kgms.
1	No. of working days.	
2	Equivalent No. of hours cells worked at full load.	
3	Hours lost.	
4	No. of working Cells.	
5	(a) O. B. of Salt in process. (b) Sodium Chloride content of 5(a).	
6	(a) Quantity of salt received into process. (b) Sodium Chloride content of 6(a).	
7	(a) Total salt [5(a) + 6(a)] (b) Total Sodium Chloride content [5(b) + 6(b)]	
8	Quantity of materials made ready for despatch. (i) Caustic Soda solid containing.....%NaOH by weight (ii) Caustic soda Lye containing.....%NaOH.	
9	Quantity of Caustic Soda in process containing..... %NaOH by weight.	
10	(a) Closing balance of salt in process. (b) Sodium Chloride content of 10(a).	
11	(a) Quantity of Salt consumed [7(a)—10(a)] (b) Quantity of Sodium Chloride in 11(a).	

Sl. No.	Description	Weight in Kgms.
12	Total Caustic soda produced during the month in terms of 100% NaOH (calculated from Serial Nos. 8 & 9).	
13	Sodium Chloride consumed per Kgm. of 100% NaOH produced.	

Certified that the above particulars are true to the best of my knowledge and belief.

Dated.....

Signature of the owner of the factory.

[C. No. VI(21)-67-CE/61.]

M. C. DAS, Collector.

CENTRAL EXCISE COLLECTORATE, BARODA

CENTRAL EXCISE

Baroda, the 9th March 1962

S.O. 814.—These instructions are issued under Rule 233 of the Central Excise Rules, 1944 read with Rule 143 of the said Rules.

2. Henceforth, processing in warehouses shall be regulated in accordance with the following procedure:

- (i) For processing any tobacco, prior permission from the proper officer shall be obtained.
- (ii) All tobacco must be weighed by the licensee before it is taken for processing. If the tobacco was weighed at the time of its receipt and if such weighment was conducted not more than 30 days prior to commencement of processing, re-weighment will not be necessary.
- (iii) Weight of each package shall be recorded by the licensee in the weighment register in the relevant column.
- (iv) The licensee may take any quantity of tobacco for processing provided that space available in the processing section is adequate for the purpose.
- (v) At the close of each process, all resultant products shall be bagged. Each bag shall be weighed, marked and numbered.
- (vi) A clear and correct description of the products obtained as a result of processing, shall be recorded in the W.R.G. 2 (Part II).
- (vii) Ordinarily only one process shall be allowed at a time. Where sufficient space is available more than one processes may be permitted by the proper officer with the concurrence of Range Officer in charge. In such cases adequate arrangements will be made by the licensee to keep the quantities in both the processes quite apart and segregated from each other.
- (viii) Each process must be completed within the time stipulated below:—
 - (a) upto 10,000 Kgs. 15 days
 - (b) upto 20,000 Kgs. 1 month
 - (c) above 20,000 Kgs. 2 months.

In genuine cases, when the process under items (a) and (b) cannot be completed within the stipulated period, the time limit may be extended by a further period of fifteen days by the Range Officer in charge,

who should exercise his discretion with care and with due regard to the circumstances and merits of each case.

In cases under item (c) above, requests for further extension, on account of genuine difficulties, should be referred to the Asstt. Collector who may grant extension for a further period of fifteen days.

(ix) Once clearances of processed tobacco begin, no further tobacco shall be added to the process.

(x) Condition No. (ix) will not apply to stems removed from the processing section for crushing into 'Kandi' outside. Such 'Kandi' may be brought back to the processing section for mixing in the same process within the time limits prescribed in condition (viii) above.

[No. 2/62.]

R. PRASAD,

Collector.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE & LAND CUSTOMS, GOA FRONTIER DIVISION, 71, CLUB ROAD, BELGAUM

Belgaum, the 12th March 1962

To

Shri Mahamad Khan Ismail Khan

Motor Mechanic C/o Shaik Abdulla Gaffoor's Garrage

MARGO—Goa.

S.O. 815.—Whereas a notice to Show Cause issued to you under the Land Customs Act 1924, Imports and Exports (Control) Act, 1947 is pending in the office of the undersigned, you are requested to take delivery of the said notice on any working day within ten days from the date of publication of this intimation failing which the case will be decided *ex parte*.

[No. VIII(b)10-224/61.]

NOTICE

Belgaum, the 14th March 1962

S.O. 816.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were about to be exported by land to Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & Place of Seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
1	5-12-61—Bema jun - gle ch. No. 72.	S.R.P.F.	He Buffalos Bullocks	9 11	Section 5(1) of the Land Customs Act, 1924 and the Government of India Ministry of Commerce and Industry Export Control Order 1/58 1-5-58.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 167(8) of the Sea Customs Act, 1878, as made applicable to the Land Customs Act, 1924 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-29/62.]

S.O. 817.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were about to be exported by land to Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
I	16-11-1961—Lakam-shet Wada jungle ch. No. 72.	S.R.P.	Bullocks	15	Section 5(1) of the Land Customs Act 1924, and the Government of India Ministry of Commerce and Industry Export Control Order No. 1/58 dt. 1-5-58.

2. Now, therefore, any person claiming the goods is hereby called upon to Show Cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 167(8) of the Sea Customs Act, 1878 as made applicable to the Land Customs Act, 1924 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to Show Cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-30/62.]

B. J. SUARES, Asstt. Collector.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 15th March 1962

S.O. 818.—The following amendment made by The Bombay Oilseeds and Oils Exchange Limited, Bombay, to its rules in exercise of the powers conferred on it by sub-section (1) of section 9A of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), and approved by the Central Government is hereby published as required by sub-section (2) of that section, namely:—

The Articles of Association of The Bombay Oilseeds and Oils Exchange Limited, Bombay, shall be amended as follows:—

After clause (b)(iii) of Article 24, the following proviso shall be added, namely:—

“Provided that a Commission Agent in the ready trade having a Sales Tax Registration Licence may be included in the Dealers’ Panel”.

[No. 33(3)-TMP/FMC/62.]

T. S. KUNCHITHAPATHAM, Under Secy

ORDER

New Delhi, the 16th March 1962

S.O. 819/IDRA/6/12.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby, appoints the following persons to be members of the Development Council for the scheduled industries engaged in the manufacture or production of textiles made of wool, including Woollen Yarn, and Hosiery for a period of two years with effect from the date of this Order, on the expiry of the term of office of the members appointed under the Government of India, Ministry of Commerce & Industry Order No. S.O. 482 dated the 18th February, 1960 as amended from time to time:—

1. Shri R. K. Birla, C/O Shri Digvijay Woollen Mills Ltd., Jamnagar, Gujarat State—*Chairman*.
2. Shri V. Calloway, Woollen Superintendent, British India Corporation Ltd., Post Box No. 5, Kanpur.
3. Shri T. N. Khaitan, C/O Dhruva Woollen Mills Private Ltd., Sun Mills Road, Bombay-13.
4. Shri J. R. Nayar, C/O The Indian Woollen Textile Mills Private Ltd., Chheharta, Punjab.
5. Shri Satish Chander Mahajan, The Union Textiles, Lawrence Road, Amritsar.
6. Shri K. N. Grover, C/O Model Woollen and Silk Mills, Kirkey, Amritsar.
7. Shri G. K. Singhania, C/O Messrs Raymond Woollen Mills, J. K. Building, Dougall Road, Ballard Estate, Bombay-1.
8. Shri G. E. Hoare, Director, M/s. Isaac Holdens (India) Private Ltd., 31, Netaji Subhas Road, Calcutta.
9. Shri Constantinides, C/O Oriental Carpet Manufacturers Ltd., Amritsar.
10. Shri J. K. Anjaria, President, All India Wool Trade Association, C/O M/s. Walker Anjaria & Sons, P.O. Box No. 71, Jamnagar.
11. Shri S. S. Khot, Liaison Officer (Sheep & Wool), Indian Council of Agricultural Research, Ministry of Food and Agriculture, New Delhi.
12. Shri Mallappa Kollur, Chemali Kunj, No. 3, Seshadri Road, Bangalore-9.
13. Shri Kewal Krishan Adya, President, Hosiery Industry Federation, Ludhiana.
14. Shri U. N. Pathak, Director, M/s. Hill & Co. Ltd., Mirzapur.
15. Shri I. B. Dutt, Industrial Adviser, Office of the Textile Commissioner, Wittet Road, Ballard Estate, Bombay.
16. Shri Shyam Malhotra, Technical Director, Bharat Mills Ltd., 11, Esplanade East, Calcutta.
17. Dr. S. H. Mhatre, Ph.D., Chief Chemist, Bangalore Woollen Silk & Cotton Mills, Bangalore.
18. Shri E. B. Whitley, International Wool Secretariat, Hamilton House, 'A' Block, Connaught Place, New Delhi.
19. Shri Kanjibhai Khodidas, President, Bombay Woollen Piecegoods Merchants' Association, C/O B. Chhaganlal & Co., M. J. Market, Govind Galli, Bombay-2.

[No. 1(3)L.Pr./62.]

J. S. BAKSHI, Under Secy.

MINISTRY OF STEEL, MINES & FUEL

(Department of Iron & Steel)

New Delhi, the 15th March 1962

S.O. 820/ESS.COMM/IRON AND STEEL-2(c)/AM(93).—In exercise of the powers conferred by sub-clause (c) of Clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further

amendment shall be made to the Notification of the Government of India in the Ministry of Steel, Mines and Fuel No. S.R.O. 2041/ESS.COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the schedule annexed to the said Notification, in columns 2 and 3 thereof, for the existing entry No. 32 against 'OTHERS', the following entries shall be substituted, namely:—

Column 2	Column 3
32(i)—Price and Accounts Officer and Deputy Price and Accounts Officers of the Iron and Steel Control, Calcutta	15 and 27
32(ii)—Assistant Iron and Steel Controllers and Deputy Assistant Iron and Steel Controllers, Price and Accounts Division of the Iron & Steel Control, Calcutta	15

[No. SC(A)-2(10)/61.]

H. S. GILL, Under Secy.

(Department of Mines and Fuel)

ERRATUM

New Delhi, the 13th March 1962

S.O. 821.—In Schedule B to the Notification of the Government of India, in the Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) No. S.O. 262, dated the 18th January, 1962, published in the Gazette of India in Part II in Section 3, in Sub-section (ii), dated the 27th January, 1962—

at page 295, under the heading "Plot Nos. to be acquired in village Charcha", for "533(P)" read 553(P)".

[No. C2-22(16)/60.]

P. S. KRISHNAN, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 13th March 1962

S.O. 822.—The following draft of certain rules further to amend the Skins Grading and Marking Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) is hereby published as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 20th March, 1962.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Rules

1. These Rules may be called the Skins Grading and Marking (Amendment) Rules, 1962.

2. In Schedule I to the Skins Grading and Marking Rules 1937:—

- in column 6 of the table, for the words "two inches", the figures and words "51 mm" shall be substituted;
- under Columns 3 to 6 of the table, for the words "one square inch" the figures and words "6.5 square cm." shall be substituted;
- in column 9 of the table, for the figures and words "40" and above, "36" to 40", "33" to 36", "28" to 33" and "22" to 28" ", the figures and words "102 Cm."

and above, 91 Cm. to 102 Cm, 84 Cm to 91 Cm, 71 Cm to 84 Cm and 56 Cm to 71 Cm" shall respectively be substituted.

- (d) in Column 10 of the table, for the figures and words "36" and above", "32" to 35", "27" to 31", and "22" to 27", the figures and words "91 Cm and above", "81 Cm to 89 Cm", "69 Cm to 79 Cm" and "56 Cm to 69 Cm" shall respectively be substituted.

[No. F.17-1/62-AM.]

S.O. 823.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules to amend the Directorate of Marketing and Inspection (Class III Posts) Recruitment Rules, 1960, namely:—

1. These rules may be called the Directorate of Marketing and Inspection (Class III Posts) (Amendment) Rules, 1962.

2. For rule 5 of the Directorate of Marketing and Inspection (Class III Posts) Recruitment Rules, 1960 (hereinafter referred to as the said rules), the following rule shall be substituted, namely:—

"5. Disqualifications.—

- (1) No persons who has more than one wife living or who, having a spouse living, marries in any case in which such marriage is void by reasons of its taking place during the life-time of such spouse, shall be eligible for appointment to any of the said posts.
- (2) No woman whose marriage is void by reasons of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the said posts:

Provided that the Central Government may if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule."

3. In the Schedule annexed to the said Rules, under the Sub-Head II Ministerial, (b) Non-technical, for the entry in Col. 5 against S. No. 4 Lower Division Clerk, the following entry shall be substituted, namely:—

"A. Matriculation or equivalent qualification until replaced by Higher Secondary. A speed of 30 words per minute in typing. Typing qualification will not apply in case of those candidates who are certified as being unable to type by the Medical Board attached to Special Employment Exchange for the Handicapped or by a Civil Surgeon where there is no such Board."

B. Does not arise".

[No. F. 1-6/62-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 12th March 1962

S.O. 824.—In exercise of the powers conferred by Section 17 of the Indian Oilseeds Committee Act, 1946 (No. 9 of 1946), the Central Government hereby makes the following amendments in the Indian Central Oilseeds Committee Provident Fund Rules, 1961, the same having been published previously as required by sub-section (1) of the said section, namely:—

1. These rules may be called the Indian Central Oilseeds Committee Provident Fund (Amendment) Rules, 1962.

2. In the Indian Central Oilseeds Committee Provident Fund Rules, 1961 (hereinafter referred to as the said rules, in rule 2,

- (a) in Note II of clause (c), the words "the solicitor of" shall be omitted;
- (b) in clause (e), for the word "variety", the word "kind" shall be substituted.

3. In sub-rule (1) of rule 6 of the said rules, for words "as soon as may be after", the word "on" shall be substituted.

4. In sub-rule (2) of rule 8 of the said rules, after the words "continuous service", the following words shall be inserted; namely:—

5. "with retrospective effect from the date of his appointment".

5. "with retrospective effect from the date of his appointment".

6. In rule 18 of the said rules, the following marginal heading shall be inserted; namely—

"Accumulations payable on retirement or on being declared medically unfit."

7. In clauses (1) and (2) of the proviso to sub-rule (1) of rule 19 of the said rules, the word "legal" shall be omitted.

8. In rule 24 of the said rules, for the word "appended", the words "set forth in the Second Schedule" shall be substituted.

9. Rule 26 of the said rules shall be omitted.

10. After the First Schedule to the said rules, for the Heading "FORM OF AGREEMENT (RULE 24)", the following Heading shall be substituted, namely:—

"SECOND SCHEDULE (RULE 24)

Form of Agreement"

[No. 10-14/60-Com.II.]

SANTOKH SINGH, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

New Delhi, the 15th March 1962

S.O. 825.—In exercise of the powers conferred by sub-section (1) of section 15 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby re-appoints the following officials to the Shipping Development Fund Committee with effect from the 17th March, 1962:—

(i) Dr. Nagendra Singh, Director General of Shipping and Joint Secretary, Ministry of Transport and Communications.

(ii) Shri S. S. Shiralkar, Joint Secretary, Ministry of Finance.

2. Dr. Nagendra Singh shall continue to be the Chairman of the Committee.

[No. 33-MD(23)/62.]

B. P. SRIVASTAVA, Dy. Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 12th March 1962

S.O. 826.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties in the state of Delhi specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore in exercise of the powers conferred by section 12 of Displaced Persons (Compensation and Rehabilitation) Act, 1954, (44 of 1954), it is notified

that the Central Government has decided to acquire, and hereby acquires the said evacuee properties (Specified in the Schedule below):—

THE SCHEDULE

Sl. No.	Particulars of evacuee property.	Name of the town and locality in which the evacuee property is situated	Name of evacuee	Percentage of evacuee
1	IX/2379(Old) 3592-3595 (New).	Bazar Sitaram.	M/s Anisuddin Mohd. Naqi sons and Mst. Sayeedul Nisa, Mst. Kulsum Bi, Zubeda Khatoon D/o Shri Fasihuddin.	

[No. 13(2)Comp. & Prop./61.]

New Delhi, the 13th March 1962

S.O. 827.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties in the state of Delhi specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore in exercise of the powers conferred by Section 12 of Displaced Persons (Compensation and Rehabilitation) Act, 1954, (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the said evacuee properties (Specified in the Schedule below):—

THE SCHEDULE

List of urban area in Village Najafgarh.

Sl. No.	Particulars of the property		Area		Name of the evacuee with the rights in the property	Remarks
	Khewat No.	Khasra No.	Big.	Bis.		
1	2		3		4	
1	62/77	42/25/2 49/7/1 49/7/2 49/8	1—18 4—11 0—5 4—16		Rahimuddin & Mohd. Ramzan & Dalip S/o Shamira & Mehruli S/o Malook in equal shares evacuee ownership.	
			11—10			
2	65/80	42/10 42/12 42/13/1 42/18/1 42/19/1 42/9/2	4—16 4—16 1—9 1—9 0—12 3—4 16—6		Chiohey Khan & Niazman Khan S/o Gazikhan evacuee ownership.	

List of urban area in Chirag Delhi.

3	148/283	774/494 774/494	2—14 0—19 3—13		Modh. Umer, Fazal Ahmed, Noor Mohs. & Mohd. Ahmed Ss/o Alah Diya in equal shares 2/9th Rehmat Khan Mohd. Ahmed Khan Ss/o Narte in equal share 1/9th mortgagors Mohd. Syed S/o Rehmar Ulla Un mortgaged 1/3rd and mortgages of the above mentioned mortgagors also mortgagor Kishan Sarup S/o Behare Lal mortgagor non evacuee-vested in custody on 1/3rd.
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1	2	3	4
<i>List of urban aras in Hauzkhas</i>			
4	40/172	421 602/410	3—2 Jafar <i>alias</i> Ashraf evacuee shareholder mortgagor Lachman S/o Trikha non-evacuee mortgages vested in Custodian.
5	40/70	428	2—13 Sadiq S/o Vasin evacuee shareholder mortgagor Ram Kala, Tck Chand & Chetan Sukj Ss/o Baloo in equal share 1/2 share. 1—5 Tokhurm S/o Ram Chand 1/2 share mortgages non-ev. vested in Custd. 3—8
6	23/134,135	645 min/ 446 645 min/ 446	5—7 Niader & Nazar Ss/o Shitan evacueeshareholders vendors Nadar shareholder unmortgagor 1/3 share. Sagar S/o Yadoob un-mortgagor 1/3 share evacuee Devi Singh & Sudan Ss/o Arjan vendees non-ev. vested in Custd. 2—14 8—1

[No. 13(2)Comp. & Prop./61.]

New Delhi, the 14th March 1962

S.O. 828.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri R. N. Chopra, Secretary, Rehabilitation Department, Punjab Government so long as he holds that post, to be a Settlement Commissioner in the State of Punjab, for the purpose of performing, in addition to his own duties as Secretary, Rehabilitation Department, Punjab Government the functions assigned to a Settlement Commissioner by or under the said Act, in respect of agricultural lands and shops in any rural area including houses, cattle sheds and vacant sites, if any, in any such area allotted alongwith any such lands and forming part of the Compensation Pool.

[No. F. 3(14)/Land & Rent/62.]

M. J. SRIVASTAVA,

Settlement Commissioner & *Ex-Officio* Under Secy.**(Office of the Chief Settlement Commissioner)***New Delhi, the 13th March 1962*

S.O. 829.—In exercise of the powers conferred upon me by sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, S. W. Shiveshwarkar, Chief Settlement Commissioner hereby delegate with effect from 2nd March, 1962, my powers under sub-section (2) of section 30 of the said Act to Shri R. N. Chopra, Settlement Commissioner, Punjab, in so far as such orders relate to any sums due under the said Act in respect of the property (including agricultural land) in the State of Punjab in a rural area as defined in clause (f) of rule 2 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 and forming part of the compensation pool. Shri R. N. Chopra will exercise this power only so long as he holds the post of Secretary Rehabilitation Department Punjab Government.

[No. 3(14)/L&R/62.]

ORDER*New Delhi, the 13th March 1962*

S.O. 830.—In exercise of the powers conferred by sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, I S. W. Shiveshwarkar, Chief Settlement Commissioner, hereby delegate with effect from the 2nd March, 1962, to Shri R. N. Chopra, Settlement Commissioner, Punjab, the powers conferred upon me under Sections 23, 24 and 28 of the said Act for the purpose of passing necessary orders under these Sections in so far as they relate

to the custody, management and disposal of property (including agricultural land) in the State of Punjab in a rural area as defined in clause (f) of rule 2 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, which forms part of the Compensation Pool. Shri R. N. Chopra will exercise this power so long as he holds the post of Secretary, Rehabilitation Department, Punjab Government.

[No. F. 3(14)/Land & Rent/62.]

S. W. SHIVESHWARKAR,
Chief Settlement Commissioner.

MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi, the 13th March 1962

S.O. 831.—In pursuance of clause 2 of the Directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against it in column 6 of the Second Schedule.

THE FIRST SCHEDULE

(1) Sub-Section (4) of Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).

(2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulations) Act, 1953 (Bombay Act XI of 1953).

(3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE.

Title of the film	Length 35 mm.	Name of the applicant.	Name of the producer.	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
Mahiti Chitra No. 20	730 ft.	Director of Information, Government of Gujarat, Ahmedabad.	Director of Information, Government of Gujarat, Ahmedabad.	Film dealing with news and current events.

[No. 24/1/62-F(P) App. 722]

D. R. KHANNA, Under Secy.

ERRATUM

In Banaras Hindu University Accounts for the year ending March 1960, published in the Gazette of India Part II—Section 3(ii), dated 6th January, 1962 as S.O. 26, the following Correction is to be made:—

Page 54, below Payments, against (a) Interest on Overdraft—

for "25,655.84"

read "24,655.84".

MINISTRY OF LABOUR AND EMPLOYMENT*New Delhi, the 3rd March 1962*

S.O. 832.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following awards of the Labour Court, Ahmedabad, in the matter of applications under section 33A of the said Act from certain employees of the Indian Bank Limited, Madras.

EXHIBIT No. 7

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

COMPLAINT No. 116 OF 1961.

IN

REFERENCE No. 1 OF 1960

Shri V. Venkateswaran,

C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road.
Fort, BOMBAY-1.—*Complainant*.

Versus

The Secretary,

Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, MADRAS-1.—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

Sd./- D. M. VIN,

Presiding Officer,
Labour Court (Central).

AHMEDABAD:

The 28th February, 1962.

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint No. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- H. RAMNATHAN,

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN

7-2-1962.

EXHIBIT NO. 5

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT NO. 117 OF 1961.

IN

REFERENCE NO. 1 OF 1960.

Shri Gajendra Girdharlal Mehta,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, BOMBAY-1.—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, MADRAS-1.—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent

Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (vide Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

Sd./- D. M. VIN,
Presiding Officer,
Labour Court (Central).

AHMEDABAD;

The 28th February, 1962.

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY.

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- H. RAMNATHAN,

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Representative of
the Employer.

BOMBAY:

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT NO. 6.

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.
COMPLAINT No. 118 OF 1961.

IN

REFERENCE NO. 1 OF 1960.

Shri M. Ramamoorthy,

C/o. Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, BOMBAY-1.—Complainant.

Versus

The Secretary,

Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, MADRAS-1.—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

Sd./- D. M. VIN,

Presiding Officer,
Labour Court (Central).

AHMEDABAD;

The 28th February, 1962.

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY.

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- H. RAMNATHAN,

Sd./- V. KRISHNAN,

Representative on
behalf of the
Complainants.

Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT No. 6,

BEFORE SHRI D. M. VIN

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

COMPLAINT No. 119 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri K. S. Rajagopalakrishnan,
C/o. Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, BOMBAY-1.—*Complainant.*

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings"
Esplanade, MADRAS-1.—*Respondent.*

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government

D. M. VIN,
Presiding Officer,
Labour Court (Central).

AHMEDABAD

The 28th February, 1962

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY.

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in

this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

EXHIBIT No. 6.

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT No. 120 of 1961.

IN

REFERENCE No. 1 of 1960

Shri T. K. Thyagarajan,

C/o. Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, BOMBAY-1.—*Complainant*.

Versus

The Secretary,

Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, MADRAS-1.—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—*for the Complainant*.

Shri H. Ramnathan, Law Officer of the Bank—*for the Respondent*.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There

would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

AHMEDABAD;

The 28th February, 1962.

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY.

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 of 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 116 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the Above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT No. 6.

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT No. 121 of 1961.

IN

REFERENCE No. 1 of 1960.

Shri Y. V. Ananthaswamy,
C/o. Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, BOMBAY-1.—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, MADRAS-1.—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

AHMEDABAD;

The 28th February, 1962.

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY.

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

EXHIBIT No. 6.

BEFORE SHRI D. M. VIN.

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT NO. 122 OF 1961.

IN

REFERENCE NO. 1 OF 1960.

Shri K. S. Kandaswamy,

C/o. Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, BOMBAY-1.—Complainant.

Versus

The Secretary,

Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, MADRAS-1.—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

D. M. VIN.

Presiding Officer,
Labour Court (Central).

AHMEDABAD:

The 28th February, 1962.

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY.

May it please your Lordship.

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;
The 7th February, 1962.

Recorded.
Sd./- D. M. VIN.
7-2-1962.

EXHIBIT No. 6

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

COMPLAINT No. 123 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri M. Venkatraman,

C/o Shri V. Krishnan, B.A., LL.B.,
 Indian Bank Ltd., Sir P.M. Road,
 Fort, Bombay-1—*Complainant.*
Versus

The Secretary,

Indian Bank Limited,
 "Indian Chamber Buildings",
 Esplanade, Madras-1—*Respondent.*

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
 The 28th February, 1962.

D. M. VIN,
 Presiding Officer,
 Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
 AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,
7-2-1962.

EXHIBIT No. 6

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 124 OF 1961
IN
REFERENCE No. 1 OF 1960

Shri G. S. Somayajulu,
e/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

EXHIBIT No. 6

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 125 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award

or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

Ex. No. 6

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 126 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri R. Krishnaswamy,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to the Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'**Ex. No. 6**

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;
The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,
7-2-1962.

EXHIBIT No. 6

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 127 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri V. R. Narayanan,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to the Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;
The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,
7-2-1962.

EXHIBIT No. 5

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

COMPLAINT No. 128 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri N. Ganesan,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

AHMEDABAD;
The 28th February, 1962.

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265

IN

REFERENCE No. 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115

in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.
Sd./- D. M. VIN,
7-2-1962.

EXHIBIT No. 6

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 129 OF 1961

IN

REFERENCE No. 1 OF 1960

Shri N. Venkateswaran.
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate relief should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

EXHIBIT No. 5

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

COMPLAINT No. 130 OF 1961

IN

REFERENCE No. 1 OF 1960

Shri T. Kunju Kunju,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 263.

IN

REFERENCE No. 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;
The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,
7-2-1962.

EXHIBIT NO. 5

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

Complaint No. 131 of 1961

IN

REFERENCE No. 1 OF 1960

Shri K. K. Puthran,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

D. M. VIN.

Presiding Officer.

Labour Court (Central).

AHMEDABAD;

The 28th February, 1962.

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaints No. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN

7-2-1962

Exhibit No. 5
BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
Complaint No. 132 of 1961

IN
REFERENCE NO. 1 OF 1960

Shri Y. Radhakrishna Shenoy,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—*A Complaint under Section 33-A of the Industrial Disputes Act, 1947.*

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD:

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint No. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115

in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.

Sd./- D. M. VIN

7-2-1962

Exhibit No. 3

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

Complaint No. 133 of 1961

IN

REFERENCE No. 1 OF 1960

Shri N. N. Rajagopalan,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33 A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award nor violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (Vide Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the

same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaints No. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN

7-2-1962

Exhibit No. 6

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

Complaint No. 134 of 1961

IN

REFERENCE No. 1 OF 1960

Shri A. D. Bhat,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
For, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award nor violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (Vide Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

Ahmedabad;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint No. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 of 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN

7-2-1962

Exhibit No. 6
BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINTS No. 135 OF 1961.

IN
REFERENCE No. 1 OF 1960

Shri V. Sabbiah,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1--*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1--*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.

Sd./- D. M. VIN.

7-2-1962

Exhibit No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT NO. 241 OF 1961

IN

REFERENCE NO. 1 OF 1960

Shri N. Chidambaram,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 of 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd/- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd/- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd.- D. M. VIN

7-2-1962

Exhibit No. 3

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

COMPLAINT No. 242 OF 1961

IN

REFERENCE No. 1 OF 1960

Shri K. Rangarajan,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (Vide Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 263.

IN

REFERENCE No 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,
7-2-1962

Exhibit No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 243 OF 1961

IN

REFERENCE No. 1 OF 1960

Shri Gobindram Kalara,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN

7-2-1962

Exhibit No. 3.

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
Complaint No. 244 of 1961

IN

REFERENCE No. 1 OF 1960

Shri Nandlal Chanana,
c/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

**BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY**

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 of 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.
Sd./- D. M. VIN,
7-2-1962

Exhibit No. 3

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR (CENTRAL), AHMEDABAD

Complaint No. 247 of 1961

IN

REFERENCE No. 1 OF 1960

Shri S. Purnanandam,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint No. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115

in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN

7-2-1962

Exhibit No. 3

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

Complaint No. 249 of 1961

IN

REFERENCE No. 1 OF 1960

Shri P. A. S. Chalapathi Rao,
C/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*Vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 of 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN

7-2-1962

Exhibit No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR (CENTRAL), AHMEDABAD

Complaint No. 250 of 1961

IN

REFERENCE No. 1 of 1960

Shri N. Kameswara Sastry,
c/o, Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary, but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award nor violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (Vide Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award, is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

Sd./- D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE "A"

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN
7-2-1962

EXHIBIT No. 3.

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT No. 251 OF 1961.

IN

REFERENCE No. 1 OF 1960.

Shri D. Sankara Rao,
C/o Shri V. Krishnan, B.A. LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1.—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1.—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B (2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

Sd./- D. M. VIN,

Presiding Officer,

Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,

Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,

Representative of
the Employer.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT NO. 3.

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.
COMPLAINT No. 252 OF 1961.

IN

REFERENCE NO. 1 OF 1960.

Shri M. Subba Rao,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, BOMBAY-1.—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, MADRAS-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B (2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

Sd./- D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY.

May it please your Lordship,

Complaint Nos. 116 to 135, 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT No. 3.

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT No. 253 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri N. Kumarnanda Swami,
C/o Shri V. Krishnan, B.A. LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1.—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1.—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES.

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B (2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6.

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY.

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

EXHIBIT No. 3.

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT No. 254 of 1961

IN

REFERENCE No. 1 of 1960

Shri Didugu Venkataramana,
C/o Shri V. Krishnan, B.A. LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1.—*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1.—*Respondent*.

SUBJECT:—*A Complaint under Section 33-A of the Industrial Disputes Act, 1947.*

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B (2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award of violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6.

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT NO. 3.

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD.

COMPLAINT NO. 255 OF 1961

IN

REFERENCE NO. 1 OF 1960

Shri K. V. B. Krishna Murty,
c/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P. M. Road,
Fort, Bombay-1.—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1.—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B (2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

Sd./- D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6.

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL)
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;
The 7th February, 1962.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 256 OF 1961

IN

REFERENCE NO. 1 OF 1960.

Shri M. Satyanarayana Murty,
c/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award nor violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.

Sd./- D. M. VIN.

7-2-1962.

EXHIBIT No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 257 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri J. S. Prakasa Rau,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that the complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award nor violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.
Sd./- D. M. VIN,
7-2-1962.

EXHIBIT No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 258 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri Ravalaparty Suryanarayana Murty,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—*for the Complainant*.

Shri H. Ramnathan, Law Officer of the Bank—*for the Respondent*.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,
7-2-1962.

EXHIBIT No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 259 OF 1961
IN
REFERENCE No. 1 OF 1960.

Shri S. Suryanarayana Murty,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;

The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded,

Sd./- D. M. VIN,

7-2-1962.

EXHIBIT No. 3

BEFORE SHRI D. M. VIN,

PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD

COMPLAINT No. 260 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri C. Srinivasa Iyengar,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road.
Fort, Bombay-1—Complainant.

Versus

The Secretary.
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.
BOMBAY;

Sd./- H. RAMNATHAN,
Representative of
the Employer.

The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,
7-2-1962.

EXHIBIT No. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 281 OF 1961

IN

REFERENCE No. 1 OF 1960.

Shri V. J. Mohan Rao,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;
The 7th February, 1962.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

EXHIBIT NO. 3

BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT NO. 262 OF 1961

IN

REFERENCE NO. 1 OF 1960.

Shri C. V. Narasimha Murthy,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—Complainant.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—Respondent.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD:
The 28th February, 1962.

D. M. VIN.
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

**BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY**

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE NO. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

BOMBAY;
The 7th February, 1962.

Recorded.
Sd./- D. M. VIN.,
7-2-1962.

EXHIBIT No. 3
BEFORE SHRI D. M. VIN,
PRESIDING OFFICER, LABOUR COURT (CENTRAL), AHMEDABAD
COMPLAINT No. 265 OF 1961
IN

REFERENCE No. 1 OF 1960.

Shri S. J. K. Ramarao,
C/o Shri V. Krishnan, B.A., LL.B.,
Indian Bank Ltd., Sir P.M. Road,
Fort, Bombay-1—*Complainant*.

Versus

The Secretary,
Indian Bank Limited,
"Indian Chamber Buildings",
Esplanade, Madras-1—*Respondent*.

SUBJECT:—A Complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri V. Krishnan—for the Complainant.

Shri H. Ramnathan, Law Officer of the Bank—for the Respondent.

AWARD

This is a complaint made under Section 33-A of the Industrial Disputes Act (1947) to the National Industrial Tribunal (Bank Disputes). It was transferred to this Court under Section 33-B(2) of the said Act.

(2) The complainant alleged that the Opponent Bank's action of directly recruiting certain persons to supervisory posts was in contravention of the directions given in the Sastry Award and so either prior permission in writing or an approval of the Tribunal was necessary; but as the same was not obtained the Opponent Bank had violated the provisions of Section 33 and so proper and adequate reliefs should be granted to him.

(3) The Opponent Bank's case was that this complaint was not maintainable and that it had neither contravened any of the directions of the Sastry Award or violated the provisions of Section 33 of the Industrial Disputes Act and so this complaint should be dismissed.

(4) At the time of hearing the parties arrived at an agreement and desired that the Award should be passed in terms of the same (*vide* Ex. 6 filed in Complaint No. 116 of 1961 in Reference No. 1 of 1960). The Award is, therefore, made in terms of the said agreement, a copy of which is annexed herewith as Annexure 'A' and it is directed that the parties should abide by the terms of the same. There would be no orders as to costs. It is also directed that this Award be submitted to the Central Government.

AHMEDABAD;
The 28th February, 1962.

D. M. VIN,
Presiding Officer,
Labour Court (Central).

ANNEXURE 'A'

Ex. No. 6

BEFORE THE PRESIDING OFFICER, LABOUR COURT (CENTRAL),
AHMEDABAD AT BOMBAY

May it please your Lordship,

Complaint Nos. 116 to 135; 157 to 239; 241 to 244; 247; 249 to 262 and 265.

IN

REFERENCE No. 1 OF 1960.

We the parties to the above dispute agree to abide by the result of the award or an amicable settlement which may be arrived in Complaint Nos. 110 to 115 in this court and the results of the appeals in other courts, if preferred, by either or both the parties in the above applications.

It is prayed that the Award in the above Complaints be passed in terms of the above.

Sd./- V. KRISHNAN,
Representative on
behalf of the
Complainants.

BOMBAY;

The 7th February, 1962.

Sd./- H. RAMNATHAN,
Representative of
the Employer.

Recorded.

Sd./- D. M. VIN,

7-2-1962.

[No. 55(46)/61-LRIV.]

ORDER

New Delhi, the 15th March 1962

S.O. 833.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to M/s. Krishna and Company, Madras and their workmen employed in connection with the stevedoring work in the Port of Madras in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of the Industrial Disputes Act, 1947, the Central Government hereby constitutes an Industrial Tribunal with Shri K. Ramaswami Gounder as the Presiding Officer, with headquarters at Madras, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

- (1) How far the demand of workmen for confirmation is justified;
- (2) How far the demand for payment of an allowance to workmen detailed for outdoor duty is justified;
- (3) What relief, if any, are the workmen entitled to?

[No. 28(15)/62-LRIV.]

G. JAGANNATHAN, Under Secy.

New Delhi, the 14th March 1962

S.O. 834.—In pursuance of clause 4 of the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby appoints Shri B. E. P. Broughton, as a member of the Calcutta Dock Labour Board vice Shri D. A. Rostron, resigned and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1485, dated the 2nd June 1960, namely:—

In the said notification, under the heading "*Members representing the employers of dock workers and shipping companies*", in item (5), for the entry "Shri D. A. Rostron", the entry "Shri B. E. P. Broughton" shall be substituted.

[No. 523(37)/60-Fac.]

R. C. SAKSENA, Under Secy.

New Delhi, the 14th March 1962

S.O. 835.—In pursuance of sub-rule (2) of rule 1 of the Coal Mines Rescue (Amendment) Rules, 1961 the Central Government hereby appoint the 1st April 1962, as the date on which rule 3 of the said rules shall come into force.

[No. 14/35/61-M.I(ii).]

New Delhi, the 16th March 1962

S.O. 836.—Whereas the term of office of the non-official members of the Coal Mines Labour Housing Board constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2431, dated the 13th November, 1958, has expired;

Now, therefore, in pursuance of section 6 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), read with rules 6 and 8 of the Coal Mines Labour Welfare Fund Rules, 1949, the Central Government hereby appoints the following persons as non-official members to the said Board, namely:—

Shri S. N. Mullick,
Shri Ratilal M. Dave,
Shri R. Lall,
Shri S. N. Sahgal,
Shri Prasanta Burman,
Shri Mahesh V. Desai,
Shri Keshab Banerjee,
Shri Damodar Pandey.

[No. 3/29/61-MII.]

S.O. 837.—In exercise of the powers conferred by section 8 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), read with rule 3 of the Coal Mines Labour Welfare Fund Rules, 1949, the Central Government hereby appoints Shri B. S. Grewal, a person nominated by the Madhya Pradesh Mining Association, as a member of the Coal Mines Labour Welfare Fund Advisory Committee constituted by the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 386, dated the 9th February, 1961, *vice* Dr. M. S. Katre resigned, and makes the following further amendment in the said notification, namely:—

In the said notification, against entry 12, for “Dr. M. S. Katre,” words “Shri B. S. Grewal” shall be substituted.

[No. 2/3/62-MII.]

S.O. 838.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Shri Ajoy Chandra Mitra as an Inspector of Mines subordinate to the Chief Inspector and makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment S.O. No. 531, dated the 2nd March, 1961, namely:—

In the said notification, the following entry shall be added at the end, namely:—

“(63) Shri Ajoy Chandra Mitra.”

[No. 8/80/60-MI.]

S.O. 839.—In exercise of the powers conferred by sub-section (1) of section 12 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Shri O. H. Senior, in place of Shri A. A. Beard as a Member on the Mining Board constituted under the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 892, dated the 20th April, 1959, for all mines in the State of Bihar, and directs that in the said notification, against item No. (3), under the heading “Members”, for the words “Shri A. A. Beard”, the words “Shri O. H. Senior” shall be substituted.

[No. 3/3/62-MI.]

S.O. 840.—In pursuance of sub-rule (1) of rule 3 of the Coal Mines Rescue Rules, 1959, as amended by rule 3 of the Coal Mines Rescue (Amendment) Rules, 1961, the Central Government hereby constitute a Committee consisting of the following members for the establishment, maintenance and management of Rescue Stations for the areas to which the said rules apply, namely:—

- | | |
|---|---|
| 1. Shri G.S. Marwaha,
Regional Inspector of Mines,
Dhanbad. | Nominated by the Chief Inspector of Mines |
| 2. Shri N. Chandra,
Safety Officer,
National Coal Development Corporation
(Private) Limited, Darbhanga House,
Ranchi. | Nominated by the National Coal Development Corporation (Private) Ltd. |

- | | | |
|---|---|---|
| 3. Shri C. McLennan,
The Equitable Coal Co. Ltd.,
P.O. Dishergarh (Burdwan). | } | Nominated by the Joint Working Committee
of the Indian Mining Association, Indian
Mining Federation, Indian Colliery Owners
Association and Madhya Pradesh and
Vidarbha Mining Association. |
| 4. Shri S.N. Mukherjee,
P-564, Lake Road,
Calcutta-29. | | |
| 5. Shri S.N. Bhattacharya,
'Jharudih', P.O. Dhanbad. | | |
| 6. Shri Kedar Singh,
C/o, Bhowra Branch of Colliery Mazdoor
Sangh, P.O. Bhowra,
District Dhanbad. | } | Nominated by the Central Government to
represent the interests of persons employed
in mines. |
| 7. Shri Hriday Ranjan Roy,
C/o Colliery Mazdoor Union,
27, G.T. Road, Bastin Bazar,
Asansol. | | |
| 8. Shri Lalit Burman,
Indian Mine Workers' Federation,
Near Mac & Co., Main Road,
Dhanbad, Bihar. | | |
| 9. Shri Sudhir K. Rudra,
Colliery Mazdoor Congress,
Bengal Hotel, Asansol,
West Bengal. | | |
| 10. Shri J.S. Grewal,
General Manager
Raneegunge Coal Association Ltd.
Kustore Colliery, P.O. Kusunda,
(Dhanbad). | | Nominated by the National Association of
Colliery Managers (India Branch). |
| 11. Shri K.Z. George,
Deputy Chief Mining Engineer,
TISCO's COLLIERIES, P.O. Jealgora,
Dhanbad District. | | Nominated by the Indian Mine Managers'
Association. |

[14/35/61-MI(I)]

A. P. VEERA RAGHAVAN, Under Secy.

New Delhi, the 14th March 1962

S.O. 841.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Choitodih Colliery and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL; CALCUTTA

REFERENCE NO. 18 OF 1962

Parties:

Employers in relation to the Choitodih Colliery

AND

Their workmen.

Present:

Shri L. P. Dave—Presiding Officer.

APPEARANCES:

Shri S. N. Singh, Welfare Officer—For the employers.

Shri Gulab Gupta, Member, Executive Committee, Indian National Mine-workers' Federation, Dhanbad—For the workmen.

State: Bihar.

Industry: Coal Mines.

AWARD

The Government of India in the Ministry of Labour and Employment, by their order No. 2/43/61-LRII, dated 9th August 1961, referred the industrial dispute between the employers in relation to the Choitodih colliery and their workmen

in respect of the question whether the dismissal of Shri Purushottam Dubey, Underground Munshi, was justified and if not, to what relief the workman was entitled, for adjudication to the Industrial Tribunal, Dhanbad. By subsequent order No. 4/90/61-LRII, dated 13th December 1961, the proceedings in relation to the above dispute were withdrawn from Dhanbad Tribunal and transferred to this Tribunal for disposal according to law.

2. It is an admitted fact that Shri Purushottam Dubey joined the Choitodih colliery as an Underground Munshi in 1948 and was working there as such till his dismissal. It is not in dispute that part of duty of an Underground Munshi is to note the number of tubs raised by the miners and make a report about it at the end of the shift. It is further not in dispute that Shri Dubey was on duty in 'A' shift (i.e. the shift from 6 a.m. to 2 p.m.) on 10th April 1959. Admittedly he made a report that 32 tubs had been raised by the miners in that shift, though actually they had raised only 28 tubs. A chargesheet was served on him on 14th April 1959, to which he gave a reply admitting that he had reported raising of 32 tubs whereas the number of tubs actually raised was 28; he however said that this was because just when the shift was about to close, he had gone out to take his meals as he had been asked to work for 12 hours on that day and when he returned to duty, the miners of the first shift had left and he had no opportunity to know whether they had raised 28 tubs or 32 tubs. He further stated that when he learnt that the number of tubs raised was 28 and not 32, he made a deduction of 4 tubs in the tubs actually raised on the following day. The Management after holding an enquiry held that the charge against him was proved and he was thereupon dismissed. His dismissal forms the subject matter of the present reference.

3. The law regarding the scope of adjudication when there is a dispute regarding discharge or dismissal is now well settled. The Supreme Court in the case of Indian Iron and Steel Company, Ltd., v. Their Workmen (1958—I L.L.J. 260) have observed at page 270, "In cases of dismissal for misconduct, the tribunal does not (however) act as a Court of appeal and substitute its own judgment. It will interfere (i) when there is a want of good faith; (ii) when there is victimization or unfair labour practice; (iii) when the management has been guilty of a basic error or violation of a principle of natural justice; and (iv) when on the materials, the finding is completely baseless or perverse." These principles have been followed in subsequent cases. In the case of Pure Drinks (Private) Ltd. v. Kirat Singh Maungatt and another, 1961—II L.L.J. page 99, the Supreme Court has held that in dealing with an industrial dispute arising out of dismissal or termination of service, the Industrial Court is entitled to enquire whether the impugned order has been passed *mala fide* and with improper motive or is the result of a desire to victimize the workman. If the answer to this question is in favour of the workman, the tribunal can and should set aside the said order. If a proper charge has been framed and a proper enquiry has been held by the employer, the industrial tribunal can interfere with the findings or conclusions reached by the enquiry officer at the domestic enquiry if, for instance, the conclusion is perverse and is not supported by any evidence. Similarly, if the trial has been conducted unfairly in violation of the principles of natural justice, interference by the industrial tribunal would be justified; but, it is not open to an industrial tribunal to sit in appeal over the conclusions of fact recorded by the domestic enquiry, and it could not elaborately examine the evidence adduced in the case, consider the probabilities, examine the reliability of the two rival versions and come to conclusion that the version of the workmen should be preferred to that of the employer; that would be open only to a court of appeal on facts.

4. Bearing the above principles in mind, let us now consider the facts of the case and apply the principles therein. As I said above, it is not in dispute that the workman Shri Dubey was an Underground Munshi and it was part of his duty to report the number of tubs raised by the miners in a particular shift. It is also an admitted fact that in the first shift on 10th April 1959, the miners had raised only 28 tubs; but Shri Dubey reported that they had raised 32 tubs. His explanation is that he had first supplied 28 tubs to the miners. Later on they asked for more tubs and he asked that four more tubs may be supplied to them. He then went out to take his meals, because he had been asked to work for 12 hours on that day. By the time he came back, the miners had left. He thereupon reported that they had raised 32 tubs. He further says that when he learnt that they had raised only 28 tubs, he deducted four tubs next day from the number of tubs raised by them.

5. It may be noted at the outset that Shri Dubey's version is not consistent: for instance, he now says that he asked Lal Singh to supply more tubs to the miners

and then went out; but it was not known to him whether actually four more tubs had been supplied to the miners by Shri Lal Singh or not. In reply to the chargesheet and also in his written statement filed before the Tribunal, he has stated that he had actually supplied four more tubs to the miners before he went out for food.

6. A chargesheet was served on him. He replied to it. After this a departmental enquiry was held and as a result of that enquiry, he was held guilty and ultimately dismissed. He has admitted in his deposition that the enquiry was held in his presence; that the statements of different witnesses were also recorded in his presence; and that he had actually signed these statements. He has further admitted that all the statements had been explained to him in Hindi, excepting the statement of Overman Chakravorty. It may be noted that this allegation that the statement of Shri Chakravorty had not been explained to him is made by him for the first time towards the close of his cross examination. He had not made it in his examination in chief nor was any such allegation made in the written statement of the workmen. The written statement only made a vague allegation that there was a show of enquiry and that the enquiry was intended to defeat the legal provisions, but no details were mentioned. I do not believe the allegation that the statement of Chakravorty was not explained to the workman in Hindi.

7. The papers relating to the enquiry have been produced and they show that the witnesses were examined in the presence of the worker and he was given an opportunity to cross examine them. In this connection, it was argued on behalf of the workmen that the statement of Assistant Manager R. P. Srivastava does not show that an opportunity was given to Shri Dubey to cross examine him. All the statements of different witnesses bear an endorsement under the workmen's (Dubey's) signature that he did not want to cross examine that witness or to put any question to him. No such endorsement is found below the statement of Shri Srivastava. We however find that in the statement of workman Dubey himself, there is a statement under his signature that he had heard the statement of Sri Srivastava, that the same had been explained to him and that he had nothing to ask from him. I am, therefore, satisfied that an opportunity had been given to the workman to cross examine all witnesses. There is nothing to show that the principles of natural justice were not followed.

8. There is also nothing to show that there is any want of bonafides or want of good faith on the part of the management nor is there anything to show that there was victimisation or unfair labour practice. It is not alleged that the workman was victimised because of his Trade Union activities or because of any other reason whatsoever.

9. Shri Gupta on behalf of the workmen raised two points; the first was that the order of dismissal was bad in law and without jurisdiction. He contended that according to order 20 of the Standing Orders, approval of the owner, the Agent or the Chief Mining Engineer of the Company was required in every case of dismissal and when circumstances appeared to warrant it, that Officer could institute separate independent enquiries before dealing with the charges against an employee. He contended from this that the Standing Orders contemplated that the dismissal authority should before exercising that power obtain the approval of a higher authority and that no one could dismiss the workman without such an approval. In the present case, the enquiry was held by the Welfare Officer. After holding the enquiry, he made a report to the Manager that the charge against the workman was established and that disciplinary action may be taken against him. The Manager forwarded the papers to the Agent and while doing so, he stated that the charge had been established and that the workman should be discharged from the Company's service. The Agent in his turn forwarded the papers to the Chief Mining Engineer and in doing so, he stated that the charges had been proved beyond doubt and that he agreed with the Manager's recommendation that the workman should be dismissed from the Company's service. The Chief Mining Engineer, after going through the papers, was satisfied that the workman was guilty and thereupon passed an order of dismissal.

10. What was contended by Shri Gupta was that the Chief Mining Engineer could not have passed an order of dismissal without the approval of higher authority. It may be noted however that it was the Manager who recommended dismissal. The Agent who was the higher authority agreed with that proposal. The papers then went to the Chief Mining Engineer who also agreed with the same and passed the order. Though the order appears to be passed by the Chief Mining Engineer, it would be an order passed by the Manager or Agent with the approval of the Chief Mining Engineer and could not be said to be an illegal order.

11. If Shri Gupta's contentions are accepted, it would mean that the Chief Mining Engineer, though he is perhaps the highest authority, would have no power of dismissal, though his subordinates could pass an order of dismissal after obtaining his approval; that is, if his subordinate proposed a dismissal, he could approve of it; but he himself could not pass an order of dismissal. This would be anomalous. I do not agree with this contention.

12. Shri Gupta then relied on an Award of the Industrial Tribunal, Dhanbad, in reference No. 51 of 1960, reported in the Gazette of India Part II Section 3(ii) at page 884. In that case, a chargesheet had been issued against a workman by the Manager who was also the Agent. An enquiry was held by the Labour Welfare Officer and an order of dismissal was ultimately passed by the Manager. As mentioned above, the Agent was himself the Manager and this was the fact which weighed with the Tribunal. It has been observed in the Award that the provision for approval in the Standing Orders was a safeguard provided in favour of the workmen and that it was intended that in case of a dismissal proposed by the Manager a separate higher authority should apply his mind to the facts of the case and dismissal was to take effect only when the higher officer had enquired in the case and approved of the punishment.

13. It is quite possible that an Officer on the spot may be carried away by considerations other than those appearing in the record of the case. Probably that is why a provision is made in the Standing Orders of obtaining approval of a higher authority. That higher authority who is away from the scene would not have any preconceived notions or prejudices and can consider the case dispassionately and that is probably why a provision has been made that approval of a higher authority should be obtained before dismissing a workman. Power has also been given to the higher authority to institute in fit cases separate independent enquiry.

14. In the present case, the enquiry was held by the Welfare Officer, who held the charge proved and sent the papers to the Manager. The Manager accepted the report and recommended dismissal. The Agent considered the report independently and he agreed with the Manager's proposal. The papers then went to the Chief Mining Engineer who after going through the papers independently came to the conclusion that the workman was guilty and passed order of dismissal. There was thus an independent and separate review of the case by two higher Officers namely by the Agent and then by the Chief Mining Engineer. I do not think that the provisions of Standing Orders No. 20 have in any way been violated. To say that the Chief Mining Engineer could only approve of the dismissal but cannot himself pass an order of dismissal is, in my opinion, without any force.

15. The second contention raised by Shri Gupta was that according to the charge-sheet served on the workman, it was alleged that he is punishable under sub-clause (ii) of clause 19 of the Standing Orders. This sub-clause mentions that theft, fraud or dishonesty in connection with the company's business or property would be misconduct. It would appear from this that the charge against the workman was that he had been guilty of theft, fraud or dishonesty. The chargesheet also mentions that he overreported in the raising report with the intention of mis-appropriating the value of four tubs of coal. In other words, the intention of mis-appropriation was an important ingredient of the charge and Shri Gupta contended that there was no allegation, evidence or finding on the point of mis-appropriation nor did the order of dismissal show that the charge of mis-appropriation was proved.

16. I agree that if a person is charged with misconduct on the ground of theft, fraud or dishonesty, *mens rea* would be an important factor and it must be found that the workman had a dishonest intention in his conduct. Merely making an incorrect report would not by itself come under the purview of the above clause. The incorrect report may be due to negligence, or it may be due to fraud. Unless fraud is established, mere negligence would not make a person guilty of misconduct under sub-clause (ii) of clause 19 of the Standing Orders.

17. There need not, however, be direct evidence about intention. Intention could be judged from circumstances. Similarly, when we are dealing with an enquiry held by a layman and with reports and orders of laymen, we cannot expect them to be scrupulously clear about legal terms. When the Welfare Officer and the Manager mention that the charge of overreporting was established, it would mean that the charge of overreporting as mentioned in the chargesheet was established, that is, it would mean that the charge of overreporting with the intention of mis-appropriation was held by them as proved. Similarly, because

they did not specifically use the words "intention of mis-appropriation" in their report, I do not think that it would mean that they were not satisfied about the said intention. I may mention that in his report, the Agent has made the point very clear and has stated that the charge of dishonesty and mis-appropriation stands proved beyond doubt. The Chief Mining Engineer has in his endorsement said that he was satisfied that the workman was guilty of the charge against him. In my opinion, therefore, the authorities were satisfied from the evidence on record that the charge of intention of mis-appropriation was duly proved.

18. It was then contended that the enquiry was perverse as no one applied his mind to the important question of *mens rea* or the intention of mis-appropriation and all that they looked into was that the 28 tubs were loaded and the report was about 32 tubs and this may have been a result of mere negligence or may have been a procedural mistake in that 4 tubs were reported in excess on the first day and 4 tubs were reported less on the following day. I do not agree with this contention.

19. The Tribunal is not sitting as a Court of Appeal and has no right to substitute its own judgment for that of the Management, unless, of course, it is found that there was absolutely no evidence from which the Management could come to this particular conclusion. In such a case, the finding would be said to be completely baseless or perverse.

20. In a case of this type, one cannot expect direct evidence about an intention of mis-appropriation. This would have to be judged from circumstances. The Munshi is supposed to be filling in the charge report book at the close of every shift. This book contains four columns. The first column shows the number of empty tubs carried over from the previous shift; the second column—the number of empties supplied during this shift; the third column shows the number of loaded tubs which go out of the mine during the shift and the fourth and last column shows the number of empties carried over at the end of the shift. The workman concerned could, therefore, easily have correctly shown the number of tubs loaded in that shift. His allegation is that he had gone out for meals; but even then, when he returned, he could easily have filled in the number of tubs which had been loaded by the miners of first shift and the number of tubs left over at the end of the shift. According to his deposition, he had not even verified whether four more tubs had been supplied to the miners or not. He could have verified by going to the worksite, as to how many had actually been loaded by the miners of the first shift, but that also he did not do. According to him, he learnt that the miners had loaded 28 tubs only on the next day. It may be remembered that even after the first shift was over, he was on duty for half of the second shift and he had to make a report about that part of the second shift also. As such, he could have known the number of empty tubs left over at the end of the first shift; because he would have to make a report about it in the second shift. It may also be noted that the charge book is common for all the three shifts and entries are made therein by the successive Munshis of all the three shifts. When the first shift is over, the Munshi of that shift completes the entries of the first shift and then the Munshi of second shift takes this book and at the end of the second shift, he completes the entries of the second shift. The book then goes to the Munshi of third shift, who makes entries about the third shift. It could not, therefore, be said to be a case merely of negligence, but very probably it was a case of systematic fraud in making an overreport so that the miners might get more than what they were entitled to, thereby causing wrongful loss to the Management.

21. It was said that he deducted four tubs in the next day. This would not, however, necessarily mean bonafides on his part. Probably he did so far he learnt that the Management had come to know that he had overreported the number of tubs on the previous day. It was said that he had been asked by the Assistant Manager to make a report according to the number of tubs supplied by him; but here also according to his own statement, he did not verify whether 32 tubs had actually been supplied to the miners and further no question was put to the Assistant Manager suggesting that it was at his instance that the Munshi had made a report according to the number of empty tubs supplied to the miners. In my opinion, looking to the circumstances of the case, it does appear that it was a case of deliberate overreporting with the intention of causing wrongful loss to the Management. At any rate, I do not think that the Management's findings on this point could be said to be perverse. They were entitled to draw an inference from the circumstances before it that it was not a case of negligence, but that it was a case of deliberate fraud and the Tribunal will not be justified in interfering with that finding, or with the dismissal order.

22. In the result, I hold that the dismissal of Shri Purushottam Dubey, Underground Munshi, is justified and he is not entitled to any relief. I pass my award accordingly.

The 28th February, 1962.

L. P. DAVE,
Presiding Officer.
[No. 2/43/61-LRII.]

New Delhi, the 15th March 1962

S.O. 842.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Burria No. 2 Mica Mine of Chrestien Mica Industries, Domchanch, District Hazaribagh, Bihar and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 78 OF 1961

Parties:

Employers in relation to the Burria No. 2 Mica Mine of Chrestien Mica Industries, Domchanch, Dt. Hazaribagh, Bihar.

AND

Their workmen.

Present:

Shri Salim M. Merchant, B.A., LL.B., Presiding Officer.

APPEARANCES:

Shri Girdhar Gopal, Labour Welfare Officer for the Chrestien Mica Industries, with Shri Maheshwar Singh, for the employers.

Shri Surya Narayan Sinha, President, Mica Labour Union, for the workmen.

Industry: Mica.

State: Bihar.

Dhanbad, dated the 3rd March 1962

AWARD

The Government of India, Ministry of Labour and Employment, by its Order No. 20/12/61-LRII, dated the 25th October 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer the industrial dispute between the parties above-named in respect of the following subject matters specified in the said order to me for adjudication.

SCHEDULE

“Whether the dismissal of Shri Shiv Murat Dubey, a Pump Khalasi of Burria No. 2 Mica Mine is justified? If not, to what relief the workman is entitled?”

2. After the usual notices were issued and the parties had filed written statements, the dispute was fixed for hearing at Dhanbad on 2nd March 1962. At the hearing, after the parties had made their submissions at length, I suggested to the management to reinstate the dismissed workman Shri Shiv Murat Dubey, in service and I am glad to state that my suggestion has been accepted. Thereupon, the parties filed a joint application recording the terms and conditions on which Shiv Murat Dubey is to be reinstated in service in his former post of Pump Khalasi and have prayed that an award be made in terms thereof. A copy of the joint application of the parties dated 2nd March 1962 is annexed hereto and marked Annexure ‘A’ and it shall form part of this award. I therefore, award accordingly.

3. No order as to costs.

(Sd.) SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.

DHANBAD,
The 3rd March, 1962.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD
REFERENCE NO. 78 OF 1961

Parties:

Employers in relation to the Burria No. 2 Mica Mine of Chrestien Mica Industries, Domchanch, District Hazaribagh, Bihar.

AND

Their workmen.

May it please the Tribunal:

Accepting the suggestion of the Tribunal the Management agrees to reinstate Shri Shiv Murat Dubey in service in his former post of Pump Khalasi on his reporting for work at the head office of the company at Domchanch within a week from today. He will be employed in any one of the Mica Mines of Chrestien Mica Industries Limited. He will, however, have the benefit of continuity of his past service with the company and the period from 6th August 1961 till the date of his reinstatement in service will be treated as leave without pay.

The parties pray that an award be made in these terms.

Dhanbad, dated this the 2nd March 1962.

For the Employers:

Girdhar Gopal,
2-3-62.

Labour Welfare Officer.

Before me.

Salim M. Merchant,
2-3-62.

Presiding Officer,
Central Government Industrial Tribunal, Dhanbad

For the workmen:

Surya Narayan Sinha,
President,
Mica Labour Union.
Shiv Murat Dubey,
Explained in Hindi.
Sd. Illegible.

[No. 20/12/61-LRII.]

New Delhi, the 16th March 1962

S.O. 843.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Churulia Colliery and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE NO. 77 OF 1961

PARTIES:

Employers in relation to the Churulia colliery

AND

Their workmen.

PRESENT:

Shri Salim M. Merchant, B.A.L.L.B.,
Presiding Officer.

APPEARANCES:

Shri A. C. Nag, Manager, Churulia Colliery—for the employers.

Shri J. Pathak, Organising Secretary, with Shri J. P. Singh, Chief Organising Secretary, Colliery Mazdoor Congress—for the workmen.

Dhanbad, dated the 2nd March 1962.

INDUSTRY: Coal.

STATE: West Bengal.

AWARD

The Government of India, Ministry of Labour & Employment, by Order No. 2/164/61-LRII dated the 13th October 1961, made in exercise of the powers conferred by clause (d) of sub-Section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said Order to me for adjudication.

SCHEDULE

"Whether the management were justified in terminating the services of Shri Budhan Roy, Pick Miner, with effect from 31st May 1961. If not, to what relief is he entitled?"

After the parties had filed their written statements this dispute was fixed for hearing at Dhanbad on 1st March 1962 and after some discussion the parties herein filed a joint application recording the terms of settlement reached between them in this dispute and have prayed that an award be made in terms thereof. A copy of the said application is annexed hereto and marked Annexure 'A'. As I am satisfied that the terms of settlement are fair and reasonable I make an award in terms thereof. The joint application of the parties shall form part of this award.

Sd./- SALIM M. MERCHANT,

Presiding Officer,

Central Govt. Industrial Tribunal, Dhanbad.

DHANBAD,

The 2nd March 1962.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE NO. 77 OF 1961

PARTIES:

Employers in relation to the Churulia colliery

AND

Their workmen.

May it please the Tribunal:

We the parties to the above dispute have arrived at the following settlement and pray that an award be made in terms thereof:

1. It is agreed that on Shri Budhan Roy, Pick Miner workman concerned reporting himself for duty by 5th March 1962 the management will reinstate him in service as Pick Miner with benefit of continuity of service and his absence from work from 31st May 1961 will be treated as leave without pay. The management will also pay him Rs. 200/- as compensation in the following manner.

Rs. 100/- by 15th March 1962 and the balance of

Rs. 100/- by 1st April 1962.

The company will pay Rs. 25/- as costs to the union by 15th March 1962.

The parties pray that the Tribunal may be pleased to make an award in terms of this settlement.

Dhanbad, dated this the 1st March 1962.

For the employers:

A. C. NAG,
Manager,
Churulia Colliery,
duly authorised

For the workmen:

J. PATHAK,
Organising Secretary,
Colliery Mazdoor Congress.

J. P. SINGH,
Chief Organising Secretary,
Colliery Mazdoor Congress.

L.T.I. of
Budhan Roy

Explained to Shri Budhan Roy in Hindi
by me and he has put his L.T.I. on this
in my presence.

Before me.
Sd./- SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.

[No. 2/164/61-LRII.]
A. L. HANDA, Under Secy.

New Delhi, the 16th March 1962

S.O. 844.—In exercise of the powers conferred by section 90 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts each of the undermentioned factories belonging to the Central Public Works Department under the Ministry of Works, Housing and Supply from all the provisions of the said Act for a further period of six months with effect from the 14th March, 1962:—

1. The Electric Fans, Motors and Appliances Repair Shop, Barakhamba Road, New Delhi.
2. The Horticultural Tools and Implements Repairs Shop, New Delhi.
3. The Auto and General Repairs and General Machine Shop and Foundry, American Ware House, Factory Road, New Delhi.
4. The Desert Cooler, Refrigerator, Air Conditioning and Electric Repair Workshop, Barakhamba Road, New Delhi.

2. This notification shall be deemed to have come into force with effect from the 14th March, 1962.

[No. F. 6(8)/62-HI.]

S.O. 845.—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the factories situate in the areas in the State of Assam mentioned in the Schedule appended to this notification, from payment of employer's special contribution leviable under Chapter V-A of the said Act till the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Serial No.	Name of District	Name of area	Name of factory
1	2	3	4
1.	Cachar	Bhangabazar	1. M/s. Surma Valley Saw Mills. 2. M/s. Madhuramnuk Rice & Oil Mills.
		Karimganj	1. M/s. Surma Match & Industries Ltd. 2. M/s. State Electric Supply.
		Silchar	1. M/s. Popular Industries Ltd. 2. M/s. Silchar Electric Supply. 3. M/s. Surma Valley Engineering Works. 4. M/s. Shaw Shankar Rice Mills. 5. M/s. K.S.G.M.C. Oil Mills. 6. M/s. Eastern Motors Ltd. 7. M/s. Cachar Motor Works. 8. M/s. Cachar National Agency.
2.	Darang	Namgaon (P.O. Thakurbari)	M/s. Empire of India & Cyclone Tea Co. Ltd., Central Workshop.
		Tezpur	1. M/s. Kalayan Rice & Oil Mills. 2. M/s. Shree Ganesh Rice & Oil Mills. 3. M/s. Tezpur Elec. & Engineering Co. Ltd. 4. M/s. Steelsworth Ltd. Fy. No. 2. 5. M/s. State Transport Workshop. 6. M/s. Simpson & Co. 7. M/s. Tezpur Roller & Flour Mills. 8. M/s. Krishna Rice & Oil Mills. 9. M/s. Ashoka Motors. 10. M/s. Bhamrah Brothers.

1	2	3	4
		Thelamara . . .	M/s. Prakash Rice & Flour Mills.
3.	Goalpara	Bilasipara . . .	M/s. Bilasipara Saw & Plywood.
		Bongaigaon . . .	1. M/s. L.B. Aluminium Industries. 2. M/s. Hindustan Saw Mills.
		Goalpara . . .	1. M/s. M.B. Rice & Saw Mills. 2. M/s. State Electric Supply. 3. M/s. State Transport Maintenance Centre.
		Kokrajhar . . .	1. M/s. Nirmal Himmatsinghka Rice & Oil Mills. 2. M/s. State Electric Supply.
		Sapatgram . . .	M/s. D.M. Rice & Oil Mills.
4.	Garo Hills . . .	Tura . . .	M/s. State Electric Supply.
5.	K & J Hills . . .	Shillong . . .	1. M/s. Shillong Hydro Elec. Ltd. 2. M/s. Rikhasi Press. 3. M/s. French Motor Car Co. 4. M/s. Khan Motor Works. 5. M/s. The Goenka Engg. Works. 6. M/s. Mookherjee Motors.
		Umtru . . .	M/s. Umtru Hydel Power Station.
6.	Kamrup . . .	Amingaon . . .	M/s. Hindustan Construction Co. Ltd.
		Barpeta Road . . .	1. M/s. Shri Gopal Rice, Oil & Atta Mills. 2. M/s. R.B. Mills Ltd. 3. M/s. Shri Ganesh Oil & Rice Mills.
		Nalbari . . .	M/s. State Electric Supply.
		Rangiya . . .	M/s. Bejoy Laxmi Rice & Oil Mills.
		Tihu . . .	M/s. N.G. Rice & Saw Mills.
	Lakhimpur . . .	Doom Dooma . . .	1. M/s. Rupai Saw Mills. 2. M/s. Rupai Siding Rice, Oil & Flour Mills. 3. M/s. R.V. Shifter Co.
		Hoogrijaan . . .	M/s. Shalimar Tar Products.
		Jeyapore] . . .	1. M/s. Jeyapore Timber & Veneer Mills Ltd. 2. M/s. N.P. Ray's Veneers. 3. M/s. Sarda Plywood Industries (P) Ltd.
		Kakapathar . . .	M/s. Lakshmi Saw Mills.
		Ledo . . .	1. M/s. Assam Rly. & Trading Co. Ltd. 2. M/s. Assam Veneer & Saw Mills. 3. M/s. Assam Frontier Veneer & Saw Mills.
		Madarkhat . . .	M/s. The Assam Distillery Ltd.
		Namsai . . .	M/s. Assam Saw Mills & Timber Co. Ltd.
		(P.O. Saikawaghat)	
		Talup . . .	M/s. Talup Repairing Workshop.
8.	Nowgong . . .	Haibergaon . . .	M/s. Todi Oil Mills.
		Jakalbahanda . . .	M/s. Poddar Oil & Rice Mills.
		Nowgong . . .	1. M/s. Sardar Cycle Industry. 2. M/s. State Electric Supply Ltd.
	Sibsagar . . .	Dergaon . . .	M/s. Brahmaputra Mills Ltd.
		Golaghat . . .	1. M/s. Lakshmibhandar Rice & Oil Mills. 2. M/s. State Electric Supply. 3. M/s. Shri Laxmi Talkies.
		Nazira . . .	M/s. United Trading Co.

1	2	3	4
	Sibsagar	.	1. M/s. State Electric Supply. 2. M/s. Assam Valley Flour Mills.
10.	United Mikir & North Cachar Hills	Dhansiri (P.O. Manipur Rd.) Diphu	M/s. The Dhansiri Saw Mills. 1. M/s. Assam Frontier Veneer & Saw Mills. 2. M/s. State Electric Supply. 3. M/s. Bharat Saw Mills.

[F. No. 6(79)/61-HI].

BALWANT SINGH, Under Secy.

